



Patent No.: K06-165935M/TBS

353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initial patent application of

Katsunori Takada, et al.

Serial No.: 10/762,559 Group Art Unit: 1742

Filing Date: January 23, 2004 Examiner: Unknown

For: STEEL FOR USE IN HIGH STRENGTH PINION SHAFT AND
MANUFACTURING METHOD THEREOF

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

SUBMISSION OF DECLARATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (copy attached), dated April 27, 2004, submitted herewith is the signed declaration for the above-identified patent application, along with our check in the amount of \$940 to cover the \$770 application fee, the \$130 surcharge for the late filing of the declaration, and \$40 for the assignment recordation fee.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted.



Sean M. McGinn, Esq.

Registration No. 34,386

Date: 6/17/04
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Courthouse Road, Suite 200
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Application for United States Patent

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STEEL FOR USE IN HIGH STRENGTH PINION SHAFT AND MANUFACTURING METHOD THEREOF

the specification of which:
(check one)

(is attached hereto)
 was filed on January 23, 2004,
as Application Serial No. 10/762,559
and was amended on . (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, ' 1.56*

I hereby claim foreign priority benefits under Title 35, United States Code, ' 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			priority claimed	
(Number)	(Country)	(Day/Month/Year Filed)	X	yes no
<u>P.2003-014208</u>	<u>Japan</u>	<u>23/January/2003</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/> yes <input type="checkbox"/> no
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/> yes <input type="checkbox"/> no
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, ' 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, ' 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, ' 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status: patented, pending, abandoned)

Power of Attorney: As a named inventor, I hereby appoint Sean M. McGinn, Reg. No. 34,386, and Frederick W. Gibb, III, Reg. No. 37,629, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, Customer No. 21254, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn & Gibb, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Joint Inventor, If Any Katsunori Takada

Inventor=s Signature Katsunori Takeda **Date** May 31, 2004

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(An additional sheet(s) is/are attached hereto if the present invention includes more than four inventors.)

***Title 37, Code of Federal Regulations, ' 1.56:**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

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Full Name of Eighth
Joint Inventor, If Any

Inventor=s Signature _____ **Date** _____

Residence _____

Citizenship _____

Post Office Address _____

Full Name of Ninth
Joint Inventor, If Any

Inventor=s Signature _____ **Date** _____

Residence _____

Citizenship _____

Post Office Address _____

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SUBMISSION OF ASSIGNMENT

Sir:

Kindly record and return to the undersigned the attached Assignment from Katsunori TAKADA, Koichiro INOUE, Katsushi GOTO, Atsuhiko OHTA, and Tomoyuki TAKEI, to Koyo Seiko Co., Ltd., for the above-identified patent application. The recording fee \$ 40.00 is included in the total fee for filing the Missing Parts for the above-identified application, a check for which accompanies this submission.

Respectfully submitted.



Sean M. McGinn, Esq.
Registration No. 34.386

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